

12/21/01
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December 21, 2001

Attorney Docket No.: 07300-037003

Box Patent Application
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Presented for filing is a new continuation patent application of:

Applicant: IAN A. WILSON, ODED LIVNAH, ENRICO A. STUTRA, DANA L. JOHNSON, AND LINDA K. JOLIFFE

Title: SMALL MOLECULE MIMETICS OF ERYTHROPOIETIN

The prior application is assigned of record to The Scripps Research Institute, a California corporation, by virtue of an assignment submitted to the Patent and Trademark Office and recorded on September 23, 1996 at 8149/0824.

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	27
Claims	2
Abstract	1
Declaration	3
Drawing(s)	2

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL932079151 US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202

December 21, 2001
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Henry Jenkins
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Henry Jenkins
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U.S. Patent and Trademark Office

December 21, 2001

Page 2

Enclosures:

- **Form PTO-1449, 1 page, listing documents cited in the parent application(s). Please confirm that these have been considered in this application by returning a copy of the Form PTO-1449 with the examiner's initials.**
- Preliminary amendment, 5 pages.
- New disclosure information, including:
 - Information disclosure statement, 1 page.
 - PTO-1449, 1 page.
 - References, 9 items.
- Request for NonPublication.
- Request to Transfer Computer Readable Form; Copy of Sequence Listing filed in parent application.
- Copy of Petition for Extension of Time filed in parent application.
- Postcard.

This application is a continuation (and claims the benefit of priority under 35 USC 120) of U.S. application serial no. 09/189,745, filed November 10, 1998, which is a continuation of U.S. application serial no. 08/641,071, filed April 26, 1996. The disclosures of the prior applications are considered part of (and are incorporated by reference in) the disclosure of this application.

Basic filing fee	\$740
Total claims in excess of 20 times \$18	\$0
Independent claims in excess of 3 times \$84	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$740

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (617) 542-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

[illegible]

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ian A. Wilson et al. Art Unit :
Serial No. : Examiner :
Filed : HEREWITH
Title : SMALL MOLECULE MIMETICS OF ERYTHROPOIETIN

Box Patent Application

Commissioner for Patents
Washington, D.C. 20231

REQUEST UNDER 37 C.F.R. §1.821(e) TO TRANSFER
COMPUTER READABLE FORM

The Sequence Listing being filed herewith in the above-referenced continuation application is identical with that filed in U.S. Serial No. 09/189,745, filed November 10, 1998 and in 08/641,071, filed April 26, 1996, both of which this present application claims priority.

In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed in U.S. Serial Nos. 09/189,745 and 08/641,071 as the computer readable form for the instant application.

For your convenience, enclosed is a paper copy of the Sequence Listing filed in U.S. Serial Nos. 09/189,745 and 08/641,071.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL932079151 US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

December 21, 2001
Date of Deposit

Heroy Jenkins
Signature

Heroy Jenkins
Typed or Printed Name of Person Signing Certificate

Attorney's Docket No.: 07300-037003

Respectfully submitted,

Anita L. Meiklejohn, Ph.D.
Reg. No. 35,283

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Ian A. Wilson et al.

Title Small Molecule Mimetics of Erythropoietin

Atty Docket Number 07300-037003

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

20 DEC 01

Date

Signature

Anita L. Meiklejohn, Ph.D.

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ian A. Wilson et al. Art Unit: 2414
Serial No.: 08/641,071 Examiner: M. Kemper
Filed : April 26, 1996
Title : SMALL MOLECULE MIMETICS OF ERYTHROPOIETIN

Assistant Commissioner for Patents
Washington, DC 20231

VERIFIED STATEMENT UNDER 37 CFR § 1.821 (f)

I, Maureen Ruttle, declare that I personally prepared the paper and the computer-readable copies of the Sequence Listing filed herewith in the above-entitled case and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 10/3/97

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868.All

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Date of Deposit October 8, 1997
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Carrie A. Amonte